

08/18/2020 Added proposed changes to Resolution No. 20-41 as a separate attachment to Item 6B.

# CITY OF SAN GABRIEL

## CITY COUNCIL

### REGULAR MEETING AGENDA

**Tuesday, August 18, 2020 - 6:30 P.M.**

**City Hall Council Chamber  
425 South Mission Drive  
San Gabriel, California 91776**

**Due to Executive Order N-25-20 Members of the Council may Teleconference into the meeting.**

Denise Menchaca  
Mayor

Chin Ho Liao  
Vice Mayor

Tony Ding  
Council Member

John R. Harrington  
Council Member

Jason Pu  
Council Member



Mark Lazzaretto  
City Manager

Keith Lemieux  
City Attorney

Julie Nguyen  
City Clerk

Kevin B. Sawkins  
City Treasurer

Pursuant to State and County Directives, San Gabriel City Hall is **closed to the public** and physical access to the meeting has been suspended. To provide members of the public access to the meeting and an opportunity to comment on items on and off the Agenda, the following opportunities have been established:

#### **Public Comments**

Please email all public comments to [cityclerk@sgch.org](mailto:cityclerk@sgch.org) and include the following on the subject line of your email: the section (Public Comment, Consent, Public Hearing, New Business) and Item Number you are commenting on. The Clerk will read public comments into the record for up to the three-minute limit. Words that would disrupt the meeting, including profanity, obscenity, and discriminatory language, will not be read.

*Example: PUBLIC COMMENT: New Business Item A*

#### **Watch the Meeting Online**

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[City Council Meeting Videos](#)

Spectrum cable: Live streaming on Channel 3, Public Access Channel.

**City Council Meeting Agenda**  
**Tuesday, August 18, 2020**

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE LED BY:** Vice Mayor Liao
- **ROLL CALL:** Mayor Menchaca, Vice Mayor Liao, Council Members Ding, Harrington, Pu

**1. APPROVAL OF AGENDA ORDER**

**2. PRESENTATIONS**

**A. INTRODUCTION OF PLANNING MANAGER SAMANTHA TEWASART**

**B. COVID-19 BRIEFING**

**3. PUBLIC COMMENT**

**4. CONSENT CALENDAR**

All items listed under the Consent Calendar are considered routine and recommendations will be approved in one motion unless a member of the City Council or audience requests separate discussion.

**A. APPROVAL OF MINUTES**

The minutes are a record of the official actions taken at the City Council meeting.

1. Minutes of the City Council Special Meeting of August 4, 2020.
2. Minutes of the City Council Regular Meeting of August 4, 2020.

Recommended Action: Approval.

**B. MATERIAL DEMANDS**

This is the presentation of the "Register of Demands and Warrants" for the payment of City expenditures.

Recommended Action: Approval.

### **C. CASH AND INVESTMENT REPORT – JULY 2020**

This is the presentation of City investments for the month of July 2020.

#### Recommended Action:

Staff recommends that the City Council receive and file the Cash and Investment Report for July 2020.

### **D. VEHICLE LEASE WITH THE HOLMAN CAPITAL CORPORATION**

The City Council has provided funding in the 2020-2021 budget for the lease purchase of vehicles valued at approximately \$636,000 and paid for via annual lease payments totaling \$110,700. These were approximations based on the information available. The departments experiencing immediate need were the Police Department, the Fire Department and Public Works.

#### Recommended Action:

Staff recommends that City Council:

1. Authorize the usage of the Holman Capital Corporation for the vehicle lease purchase project; and
2. Authorize the City Manager to execute all related agreements.

### **E. ADOPTION OF RESOLUTION NUMBERS 20-36 AND 20-37 SETTING THE RATE AND AMOUNT NECESSARY FOR THE 2020-21 FISCAL YEAR RETIREMENT LEVY**

The City's retirement costs are funded by a special property tax levy authorized by the voters in 1948. This levy requires the City Council to annually establish a tax rate sufficient to meet the City's obligations to the state employees' retirement system. No change in the tax rate is recommended for the 2020-21 Fiscal Year and the City Council is asked to confirm the current rate and fix the amount of property taxes to be generated by adopting two Resolutions.

#### Recommended Action:

Staff recommends that the City Council adopt Resolution No. 20-36, setting the tax rate at 14 cents per \$100 assessed valuation, and Resolution No. 20-

37, fixing the amount of property taxes to be generated for the City's employees' retirement cost for Fiscal Year 2020-21.

#### **F. RESOLUTIONS TO EXECUTE CALTRANS AGREEMENTS FOR DEVELOPING A LOCAL ROADWAY SAFETY PLAN**

The City was awarded a grant to develop a Local Roadway Safety Plan (LRSP) which will identify and prioritize a list of roadway safety improvements within the City. A program supplement agreement and an updated master agreement must be executed with Caltrans before the City can submit invoices for reimbursement of work.

##### Recommended Action:

Staff recommends that the City Council:

1. Adopt Resolution No. 20-38 and Resolution No. 20-39; and
2. Authorize the City Manager to execute the Administering Agency-State Master Agreement No. 00517S and Program Supplement Agreement No. U97 between the City and Caltrans; and
3. Authorize the use of up to \$72,000 in the account of 124-800-57-96-794 to be reimbursed by Caltrans.

#### **G. SAFE, CLEAN WATER PROGRAM (MEASURE W) TRANSFER AGREEMENT**

In order to receive approximately \$440,000 from the voter-approved Safe, Clean Water Program (Measure W), a Transfer Agreement between the City and the Los Angeles County Flood Control District needs to be executed. The Agreement will allow the City to receive funding for several stormwater projects.

##### Recommended Action:

Staff recommends that the City Council authorize the City Manager to execute the Transfer Agreement between the City and the Los Angeles Flood Control District.

**5. PUBLIC HEARING** – None.

**6. NEW BUSINESS**

#### **A. MONTHLY BUDGET UPDATE**

The City Council unanimously passed the budget for Fiscal Year 2020-2021 on June 23, 2020. However, due to the staggering economic impacts of COVID-19, the City Council requested that the staff conduct a monthly update at the regularly-scheduled second meeting of the month. This standing item would be for the purposes of bringing any major changes or developments to the City Council.

Recommended Action:

Staff recommends that the City Council:

1. Adopt Resolution No. 20-42 appropriating Gas Tax Funds in the amount of \$330,000 from Fund balance to 136-800-02-40-003 Utilities – Electricity; and
2. Receive and file this report.

**B. CONSIDERATION BY THE CITY COUNCIL TO ADOPT RESOLUTION NO. 20-41 CONDEMNING AN ATTEMPT BY THE TRUMP ADMINISTRATION TO EXCLUDE UNDOCUMENTED PERSONS FROM THE 2020 CENSUS COUNT APPORTIONMENT BASE**

**08/18/2020 SEPARATE ATTACHMENT: PROPOSED CHANGES TO RESOLUTION NO. 20-41**

During the August 4, 2020 City Council Meeting, the City Council directed staff to prepare a resolution in response to the Memorandum for the Secretary of Commerce issued by President Trump dated July 21, 2020, "Subject: Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census." The City Council will consider adopting Resolution No. 20-41 responding to the Trump Administration's recent attempt to exclude persons from population counts and apportionment determinations following the 2020 Census based on citizenship and immigration status.

Recommended Action:

Staff recommends that the City Council approve Resolution No. 20-41, responding to the Trump Administration's attempt to exclude undocumented persons from the 2020 Census Count apportionment base.

**C. STATUS REPORT FROM THE COMMUNITY EQUALITY AND ENGAGEMENT AD HOC SUB-COMMITTEE AND RECOMMENDATION TO**

## **CREATE A COMMISSION ON HUMAN EQUITY, ACCESS AND RELATIONS (THE "HEAR COMMISSION")**

In the wake of the killing of George Floyd and the civil unrest that followed, the City Council adopted a resolution committing to a process of examination and engagement with the community to review the City's current policies and practices to ensure the fair, even and equal administration and enforcement of its laws, and to eliminate racism and discrimination in the City of San Gabriel's policies and practices. To start the process, the City Council appointed an ad hoc sub-committee (the "Subcommittee") to hold community conversations and begin to formulate a plan for achieving the mandates in the resolution. This report presents a summary of the work of the Subcommittee and a recommendation to create a Commission on Human Equity, Access and Relations (the "HEAR Commission" or the "Commission") to thoroughly review the practices and policies of the City of San Gabriel.

### Recommended Action:

Staff recommends that the City Council:

1. Direct staff to prepare an ordinance that amends the San Gabriel Municipal Code to create a Commission on Human Equity, Access and Relations (HEAR Commission); and
2. Extend the ad hoc sub-committee and continue the appointment of Mayor Menchaca and Councilmember Pu for an additional four months, with a report to the City Council on the actions of the sub-committee due at that time.

## **D. MISSION PLAYHOUSE DISCUSSION**

Each year, the City subsidizes the Mission Playhouse operations by an average of \$735,000. This has resulted in the Mission Playhouse Fund experiencing a deficit at June 30, 2020, of over \$350,000. As this amount has become unsustainable for the General Fund in this economic situation, Staff is presenting options for the future operation of the Mission Playhouse.

### Recommended Action:

Staff recommends that the City Council discuss this item and provide direction to Staff.

## **7. PUBLIC COMMENT**

## 8. CITY MANAGER'S REPORT

## 9. COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS

Each Council Member may address the City Council and public on matters of general information and/or concern. This is also the time for Council Members to report on conferences and/or meetings they have attended.

## 10. CLOSED SESSION – None.

## 11. ADJOURNMENT

The next Regular City Council meeting will be held on Tuesday, September 1, 2020 at 6:30 p.m. Information regarding matters to be considered at each meeting will be available on the Friday before the City Council Meeting on the City's website at [www.sangabrielcity.com](http://www.sangabrielcity.com).

**Materials Available for Inspection.** You may view agenda items online at [www.sangabrielcity.com/agendacenter](http://www.sangabrielcity.com/agendacenter). Materials related to an item on this Agenda, submitted to the City Council after distribution of the Agenda packet, will be posted on the City website.

**Persons with Disabilities.** Upon request, this Agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990.

**Persons requesting a Translator.** Any person requesting translation for the meeting must notify the City Clerk's Department at [cityclerk@sgch.org](mailto:cityclerk@sgch.org) at least 48 hours before the meeting.

**Questions about this Agenda?** Should any person have a question concerning any of the above Agenda items prior to the meeting, please contact the City Clerk at [cityclerk@sgch.org](mailto:cityclerk@sgch.org) during regular office hours.

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